REMARKS

Applicants appreciate the Examiner's thorough examination of the subject application and request reconsideration of the subject application based on the foregoing amendments and the following remarks.

Claims 1-22 are pending in the subject application.

Claims 1-22 stand rejected under 35 U.S.C. §102 and/or 35 U.S.C. §103.

Claim 1 was amended to include a limitation of claim 2 and also for clarity.

Claims 2 and 6 were amended to be consistent with the language of amended claim 1 and for clarity.

Claims 9-10 were amended for clarity.

Claim 12 was amended to avoid a possible antecedent basis concern.

Claim 13 was amended to be consistent with the language of amended claim 1 and for clarity.

Claims 17-20 were amended for clarity.

Claims 21 was amended for clarity and to put the claim in better form for prosecution.

Claim 22 was amended to be consistent with the language of amended claims 18 and 21 and for clarity.

The amendments to the claims are supported by the originally filed disclosure and thus entry of the foregoing amendments into the subject application is respectfully requested.

35 U.S.C. §102 REJECTIONS

The Examiner rejected claims 1-3, 6-13 and 17-22 under 35 U.S.C. §102(b) as being anticipated by Burns et al. [USP 6,405,315; "Burns"]. Applicants respectfully traverse as

discussed below. Because claims were amended in the instant amendment, the following discussion refers to the language of the amended claims. However, only those amended features specifically relied upon to distinguish the claimed invention from the cited prior art shall be considered as being made to overcome the cited reference.

In claim 1, Applicants claim an electronic device network system that includes an electronic device for transmitting data via a network, a plurality of storing means for storing data transmitted from the electronic device, and a plurality of external devices for acquiring data from the storing means and processing the acquired data. The network connects the electronic device, the storing means, and the external devices to one another.

The electronic device network system also includes a setting section for setting a security level for the data to be transmitted, the set security level being selected by a user from a plurality of identified security levels. Also, the electronic device, at least one of the plurality of storing means, and at least one of the external devices each have a security function and an associated security level.

As can be seen from the language of claim 1, as well as the description/discussion in the subject application, the security levels for the electronic device, at least one of the plurality of storing means, and at least one of the external devices is *at* the device level. For example, the plurality of storage devices together can be associated with a range of different security levels from a security level essentially corresponding to no security function to a security level corresponding to a very high security level. The data being stored on these storage devices is stored in accordance with the security level associated with the storage device.

Burns does not describe anywhere assigning or associating a security level at the device level. Rather Burns describes distributive encrypted file systems or databases that are stored in encrypted form on a remote storage device(s). As described in Burns (see col. 5, lines 25-35 thereof), data is remotely encrypted by the network clients (the components of the file system that request data from the storage devices), travels over the network in encrypted form and is stored

in encrypted form on the storage device(s). As also further described in Burns (see col. 5, lines 47-55 thereof), the network storage device is trusted to store the encrypted file system data (not sent back old or garbage data) but the network storage device is not trusted to keep the data secret. Instead each such device has a device owner that controls access to the device data by setting up for example, subscribers with authority to create objects on the device (see Burns col. 5, lines 56-65).

In simple terms, Burns describes merely methods and devices that implement security features at the system or software level; not the device level as in the claimed network system.

Moreover, there is no discussion anywhere in Burns describing having a user set a desired security level for the data to be transmitted, much less further describe a means for searching out a storage device, for example whose security level is found to match or correspond to the desired security level. In contrast, in the file system in Burns all data of a given file system is automatically encrypted regardless of the wishes and desires of the user and without any input from the file system user as to the particulars as to the level of security that should be afforded to the data being stored in the file system. As is known to those skilled in the art, in these types of systems as described in Burns, an administrator is provided to control encryption and to control other aspects of the securing saving of data.

As indicated above, claim 1 was amended so as to include a limitation of claim 2 (*i.e.*, the setting section limitation of claim 2). In regards to this added limitation, the Office Action had asserted that the setting section of claim 2 corresponded to "chmod" which the Office Action further indicated is a command inherent to Unix and referred to col. 9, lines 20-25 of Burns. Applicants respectfully disagree.

If the "chmod" command inherent to Unix is used for the system of Burns, *only access restriction is set for each data object*. Burns does not teach setting a security level associated with devices (at least one of the electronic device and the storing means, and at least one of the external devices), unlike the setting section of amended claim 1.

In sum, the file system and related methodology described in Burns is completely different from the network system as set forth in claim 1. Burns describes a file system and related methodology that is directed to a different way and manner of controlling handling and processing of secure data.

It thus is respectfully submitted that the electronic device network system of claim 1 is not anticipated by Burns.

As to claims 2-3 and 6-13, each of these claims depends (directly or ultimately) from claim 1. Thus, each of claims 2-3 and 6-13 are considered to be allowable at least because of their dependency from an allowable base claim. This shall not; however, be considered an admission that claims 2-3 and 6-13 are not separately patentable from Burns.

For example, claim 2 adds the further limitation that the network system includes a means for searching to identify a given storing means whose associated security level corresponds to the security level that was set by the user in the setting section. There is no discussion anywhere in Burns of a method or system where a search is made to identify a storage device having an appropriate security level. This is not surprising because, and as indicated above, the storage device is not trusted for securing data in Burns.

There also is no discussion anywhere in Burns of two storage devices, each having a unique security level associated therewith and where these security levels are different from each other.

As to claim 17, Applicants respectfully submit that the above remarks regarding claim 1 as well as the remarks regarding claim 2, apply to distinguish the data receiver search system of claim 17 from Burns. This shall not, however, be considered an admission that there are not additional grounds for distinguishing claim 17 from Burns.

As to claim 18, Applicants respectfully submit that the above remarks regarding claim 1 apply to distinguish the data receiver search method of claim 18 from Burns. This shall not,

however, be considered an admission that there are not additional grounds for distinguishing claim 18 from Burns.

As to claims 19-22, each of these claims depends (directly or ultimately) from claim 18. Thus, each of claims 19-22 are considered to be allowable at least because of their dependency from an allowable base claim. This shall not; however, be considered an admission that claims 19-22 are not separately patentable from Burns.

As provided in the MPEPs, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Or stated another way, "The identical invention must be shown in as complete detail as is contained in the ... claims. *Richardson v Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ 2d. 1913, 1920 (Fed. Cir. 1989). Although identify of terminology is not required, the elements must be arranged as required by the claim. *In re Bond*, 15 USPQ2d 1566 (Fed. Cir. 1990). It is clear from the foregoing remarks that the above identified claims are not anticipated by Burns.

It is respectfully submitted that for the foregoing reasons, claims 1-3, 6-13 and 17-22 are patentable over the cited reference and thus, satisfy the requirements of 35 U.S.C. §102(b). Therefore, these claims, including the claims dependent therefrom are allowable.

35 U.S.C. §103 REJECTIONS

Claims 4, 5 and 14 stand rejected under 35 U.S.C. §103 as being unpatentable over Burns et al. [USP 6,405,315; "Burns"] and claims 15 and 16 stand rejected as being unpatentable over Burns et al. [USP 6,405,315; "Burns"] in view of Tomat [USP 6,459,499]. Applicants respectfully traverse as discussed below. Because claims were amended in the instant amendment, the following discussion refers to the language of the amended claims. However,

only those amended features specifically relied upon to distinguish the claimed invention from the cited prior art shall be considered as being made to overcome the cited reference.

As to claims 4-5 and 14-16, each of these claims depends (directly or ultimately) from claim 1. Thus, each of claims 4, 5 and 14-16 are considered to be allowable at least because of their dependency from an allowable base claim. This shall not; however, be considered an admission that claims 4, 5 and 15-16 are not separately patentable from Burns.

It is respectfully submitted that for the foregoing reasons, claims 4, 5 and 14-16 are patentable over the cited reference(s) and thus, satisfy the requirements of 35 U.S.C. §103. Therefore, these claims, including the claims dependent therefrom are allowable.

It is respectfully submitted that the subject application is in a condition for allowance. Early and favorable action is requested.

Applicants believe that additional fees are not required for consideration of the within Response. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, the Commissioner is hereby authorized and requested to charge Deposit Account No. 04-1105.

Respectfully submitted,
Edwards Angell Palmer & Dodge, LLP

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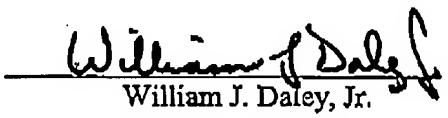
By: 

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